

REMARKS

[0001] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-28 are presently pending. Claims amended herein are: 1-4, 8, 10, 11, 13, 17, 20, 21 and 25. Claims withdrawn or cancelled herein are: none. New claims added herein are: none.

Claim Amendments

[0002] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1-4, 8, 10, 11, 13, 17, 20, 21 and 25 herein. More particularly, Applicant amended claims to change the “quick navigation UI” is the “quick EPG-navigation UI” so as to clarify that it is for quickly navigating the EPG. Support for this amendment is found throughout the specification. Indeed, the title of the instant patent application is “Quick EPG Navigation.”

[0003] Furthermore, amendments to claims 17 and 25 are done to emphasize a feature (i.e., inlaid quick EPG-navigation UI) so as to further clarify that differences between the claims from the cited reference. Support for this amendment is found throughout the specification. For example, see ¶ [0049].

37 CFR § 1.131 Declaration

[0004] These rejections are based upon U.S. Patent Application Publication No. 2005/0028200 to Sardera et al. The Sardera’s patent application has an effective filing date of August 1, 2003, which is only three months before the filing

date of the instant patent application (October 31, 2003). Consequently, Applicant may be filing a declaration under 37 C.F.R. §1.131—pending a review of facts and a decision regarding the desirability to do so. Such a declaration will state that the instant invention was invented prior to August 1, 2003, the effective filing date of Sardera's patent application.

[0005] Applicant expressly reserves the right to file the declaration under 37 C.F.R. §1.131—pending a review of facts and a decision regarding the desirability to do so.

Substantive Matters

Claim Rejections under § 102

[0006] The Examiner rejects claims 1-28 under §102(e). For the reasons set forth below, the Examiner has not shown that cited references anticipate the rejected claims. Accordingly, Applicant respectfully requests that the §102 rejections be withdrawn and the case be passed along to issuance.

[0007] The Examiner's rejections are based upon the following references alone or in combination: **Sardera:** *Sardera, et al.*, US Patent Publication No. 2005/0028200 (filed August 1, 2003; published February 3, 2005).

Overview of the Application

[0008] The Application describes a technology for provides a highly discoverable mechanism for the user to quickly look-ahead in the EPG grid while still using the familiar and intuitive scroll-forward look-ahead user interaction.
(Application, Abstract)

Cited Reference

[0009] The Examiner cites Sardera as the primary reference in the anticipation- and/or obviousness-based rejections. Sardera describes a technology for media content navigation associated advertising. With this technology, media content is rendered which can include a program and/or audio. When a media content navigation input is received, a navigation indicator is displayed and an advertisement can be rendered while the navigation indicator is displayed. (*Sardera*, Abstract)

Anticipation Rejections

[0010] Applicant submits that the anticipation rejections are not valid because, for each rejected claim, no single reference discloses each and every element of that rejected claim.¹ Furthermore, the elements disclosed in the single reference are not arranged in the manner recited by each rejected claim.²

Based upon Sardera

[0011] The Examiner rejects claims 1-28 under 35 U.S.C. § 102(e) as being anticipated by Sardera. Applicant respectfully traverses the rejections of these claims. Based on the reasons given below, Applicant asks the Examiner to withdraw the rejection of these claims.

¹ "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); also see MPEP §2131.

² See *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Independent Claim 1

[0012] The Examiner indicates (Action, pp. 2-3) the following with regard to this claim:

Re claim 1, Sardera et al disclose a processor-readable medium (computer storage media, line 12, 0048) having processor-executable instructions (computer-executable instructions in a non-volatile memory, lines 11-12, 0027) that, when executed by a processor (executed with the one or more processors, lines 3-4, 0046; see fig.4, element 416, processor), performs a method comprising (perform one or more functions in the media content, lines 7-8, 0047); presenting (presenting, line 6, 0076) an electronic program guide (electronic or interactive program guide, lines 4-5,0071) user interface (graphical user interface, line 8, 0076) illustrating a schedule of multimedia programming in a grid pattern;(see fig.3; a program guide includes a program broadcast schedule which displays schedule information to indicate when a particular program will be broadcast for viewing, lines 3-5, 0028);

monitoring(control the operation of the device, line 9, 0042) user interactions(a user-operated input device, line 9, 0063) with the EPG UI(electronic or interactive program guide, lines 4-5,0071; graphical user interface, line 8, 0076); in response to one or more triggering user interactions(navigation input is received, lines 7-8, 0036; that means trigger is received), presenting (presenting, line 6, 0076) a quick navigation UI having one or more user-selectable options therein(these navigation features are typically initiated with a remote control device and include commands such as fast-forward, skip-ahead in the program, jump to the next segment, pause the program, and the like, lines 5-8, 0003); responding to a user's Selection of one or more of the options of the quick navigation UI(a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing a program, lines 1-3,0004; that means quick navigation).

[0013] Applicant submits that Sardera does not anticipate this claim because it does not disclose, at least, the following elements/features, as recited in this claim, and arranged in the manner claimed (with emphasis added):

- **monitoring user interactions with the EPG UI** [electronic program guide user interface];
- in response to one or more triggering user interactions, **presenting a quick EPG-navigation UI having one or more user-selectable options therein;**
- **responding to a user's selection of one or more of the options of the quick EPG-navigation UI.**

[0014] Instead of the claimed "monitoring user interactions with the EPG UI," Sardera discloses generally user-selectable control of the device (e.g., audio playback device, such as an MP3 player). Applicant position is supported by the very paragraph of Sardera containing the text that the Examiner cites for supporting the rejection. Here is that full paragraph of Sardera (with emphasis added):

[0042] FIG. 4 illustrates an exemplary implementation 400 of media content navigation associated advertising. The exemplary implementation 400 is an example of a **media content playback system** implemented as **an audio playback device 402** (optionally portable), **such as an MP3 player** or similar device. The audio playback device 402 includes an integrated display 404, an audio rendering device 406 (e.g., a speaker), and selectable controls 408 that are **user-selectable to control the operation of device 402 and to control rendering audio content.**

[0015] As the reader can see, the very thing that the Examiner indicates discloses the claimed “monitoring user interactions with the EPG UI” does not disclose that. Instead, Sardera discloses user-selectable control of the operation of a device, such as an MP3 player, of a media content playback system. Sardera’s user-selectable control of an MP3 player is not a disclosure of monitoring of a user’s interactions with EPG UI. The Examiner has failed to explain how the claimed “monitoring” is equivalent to Sardera’s “control” and how the claimed “electronic program guide user interface [EPG UI]” is the same as Sardera’s “MP3 player.”

[0016] If, subsequent to this response, the Examiner explains that the claimed EPG UI is the same as Sardera’s MP3 player, then Applicant submits that the Examiner needs to explain whether each recitation of an EPG UI in the rest of this claim and the other claims is equivalent to an MP3 player as well. If so, then each recitation of the EPG UI in any of the claims differs from Sardera in at least the fact that the claimed EPG UI is not an MP3 player.

[0017] Furthermore, instead of the claimed presentation of or response to the “quick EPG-navigation UI having one or more user-selectable options therein,” Sardera discloses media-content navigational controls. See ¶ [0003] of Sardera, which talks about commands, like fast-forward and pause, being used to navigate the media content of a program (as opposed to navigating an EPG).

[0018] For clarification purpose only, Applicant amends this claim (and others like it) herein so that “quick EPG-navigation UI” is claimed instead of the less clear “quick navigation UI.” With this clarifying amendment, this difference

between the claimed UI for quick navigation of the EPG and Sardera's disclosed navigation of the media content of a program is clarified.

[0019] In addition to that, it is worth noting that this claim recites its quick EPG-navigation UI as "having one or more user-selectable options therein." Sardera does not describe its "navigation features" (e.g., fast-forward, skip-ahead, pause, etc.) as being part of a UI (user interface). Therefore, Sardera's non-disclosed UI cannot have user-selectable options therein, as claimed.

[0020] Consequently, Sardera does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 2-12

[0021] These claims ultimately depend upon independent claim 1. As discussed above, claim 1 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

[0022] In particular, with regard to claim 11, it recites the quick EPG-navigation UI as being "inlaid" and describes such a thing as being "logically inlaid between time blocks of the schedule of multimedia programming in the grid pattern." In its rejection of claim 11 (on p. 7 of the Action), the Examiner's complete statement is "see fig. 3."

[0023] As directed by the Examiner, here is Fig. 3 of Sardera for the reader to look for the quick EPG-Navigation UI that is “logically inlaid between time blocks of the schedule of multimedia programming in the grid pattern,” as claimed:

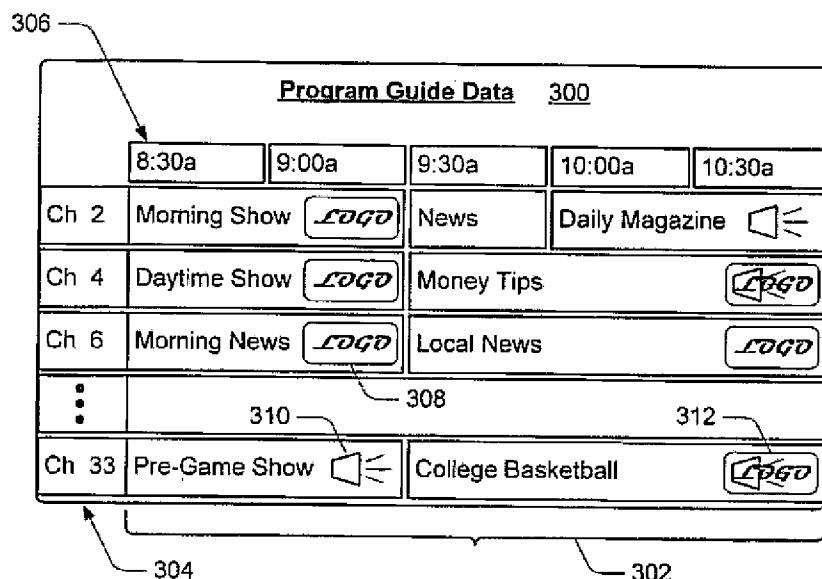


Fig. 3

[0024] Of course, it is the Applicant's position that the inlaid quick EPG-navigation UI is not shown in Fig. 3. This drawing simply does not show anything that is “logically inlaid between time blocks of the schedule of multimedia programming in the grid pattern.” It especially does not show another UI within grid pattern of EGP UI.

[0025] Consequently, claim 11 is allowable for the additional reasons given above.

Independent Claim 13

[0026] The Examiner indicates (Action, p. 8) the following with regard to this claim:

Re claim 13, Sardera et al disclose a processor-readable medium (computer storage media, line 12, 0048) having processor-executable instructions (computer-executable instructions in a non-volatile memory, lines 11-12, 0027) that, when executed by a processor (executed with the one or more processors, lines 3-4, 0046; see fig.4, element 416, processor), performs (perform one or more functions in the media content, lines 7-8, 0047) a method comprising: a means for monitoring (control the operation of the device, line 9, 0042) user interactions(a user-operated input device, line 9, 0063) with an electronic program guide user interface (electronic or interactive program guide, lines 4-5,0071; graphical user interface, line 8, 0076) illustrating a schedule of multimedia programming in a grid pattern(see fig.3; a program guide includes a program broadcast schedule which displays schedule information to indicate when a particular program will be broadcast for viewing, lines 3-5, 0028); a means for receiving a user interaction(a user-operated input device, line 9, 0063)with the EPG UI(electronic or interactive program guide, lines 4-5,0071; graphical user interface, line 8, 0076); a means for presenting(presenting, line 6, 0076) a quick navigation UI(a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing a program, lines 1-3,0004; that means quick navigation) in response to one or more triggering user interactions(navigation input is received, lines 7-8, 0036; that means trigger is received), the quick navigation UI having user-selectable options(these navigation features are typically initiated with a remote control device and include commands such as fast-forward, skip-ahead in the program, jump to the next segment, pause the program, and the like, lines 5-8, 0003); a means for responding to a user's selection of one or more of the options of the quick navigation UI(a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing a program, lines 1-3,0004).

[0027] Applicant submits that Sardera does not anticipate this claim because it does not disclose, at least, the following elements/features, as recited in this claim, and arranged in the manner claimed (with emphasis added):

- a means for **monitoring user interactions with an electronic program guide (EPG) user interface (UI)**...;
- a means for **presenting an inlaid quick EPG-navigation UI** in response to one or more triggering user interactions, the inlaid quick EPG-navigation UI **having user-selectable options**, wherein the inlaid quick EPG-navigation UI is presented so that **the inlaid quick EPG-navigation UI is logically inlaid between time blocks of the schedule** of multimedia programming in the grid pattern;
- a means for **responding to a user's selection of one or more of the options of the inlaid quick EPG-navigation UI.**

[0028] Instead of the claimed "monitoring user interactions with an electronic program guide (EPG) user interface (UI)," Sardera discloses generally user-selectable control of the device (e.g., audio playback device, such as an MP3 player). Applicant position is supported by the very paragraph of Sardera containing the text that the Examiner cites for supporting the rejection. That paragraph, [0042] of Sardera, is reproduced above on page 24 in the response to the rejection of claim 1.

[0029] As the reader can see, the very thing that the Examiner indicates discloses the claimed "monitoring user interactions with the EPG UI" does not disclose that. Instead, Sardera discloses user-selectable control of the operation

of a device, such as an MP3 player, or a media content playback system. Sardera's user-selectable control of an MP3 player is not a disclosure of monitoring of a user's interactions with EPG UI. The Examiner has failed to explain how the claimed "monitoring" is equivalent to Sardera's "control" and how the claimed "electronic program guide user interface [EPG UI]" is the same as Sardera's "MP3 player."

[0030] If, subsequent to this response, the Examiner explains that the claimed EPG UI is the same as Sardera's MP3 player, then Applicant submits that the Examiner needs to explain whether each recitation of an EPG UI in the rest of this claim and the other claims is equivalent to an MP3 player as well. If so, then each recitation of the EPG UI in any of the claims differs from Sardera in at least the fact that the claimed EPG UI is not an MP3 player or a device.

[0031] Furthermore, instead of the claimed presentation of or response to the "inlaid quick EPG-navigation UI having one or more user-selectable options," Sardera discloses media-content navigational controls. See ¶ [0003] of Sardera, which talks about commands like fast-forward and pause being used to navigate the media content of a program (as opposed to navigating an EPG).

[0032] For clarification purpose only, Applicant amends this claim (and others like it) herein so that "inlaid quick EPG-navigation UI" is claimed instead of the less clear "quick navigation UI." With this clarifying amendment, this difference between the claimed UI for quick navigation of the EPG and Sardera's disclosed navigation of the media content of a program is clarified.

[0033] In addition to that, it is worth noting that this claim recites its quick EPG-navigation UI as “having one or more user-selectable options.” Sardera does not describe its “navigation features” (e.g., fast-forward, skip-ahead, pause, etc.) as being part of a UI (user interface). Therefore, Sardera’s non-disclosed UI cannot have user-selectable options, as claimed.

[0034] Moreover, this amended claim recites the quick EPG-navigation UI as being “inlaid” and describes such a thing as being “logically inlaid between time blocks of the schedule of multimedia programming in the grid pattern.” This feature was added to this claim (as now amended) and was not part of the original version of this claim. However, this feature has been examined because it is part of the original dependent claim 11. In its rejection of claim 11 (on p. 7 of the Action), the Examiner’s complete statement is “see fig. 3.”

[0035] As directed by the Examiner, here is Fig. 3 of Sardera for the reader to look for the quick EPG-Navigation UI that is "logically inlaid between time blocks of the schedule of multimedia programming in the grid pattern," as claimed:

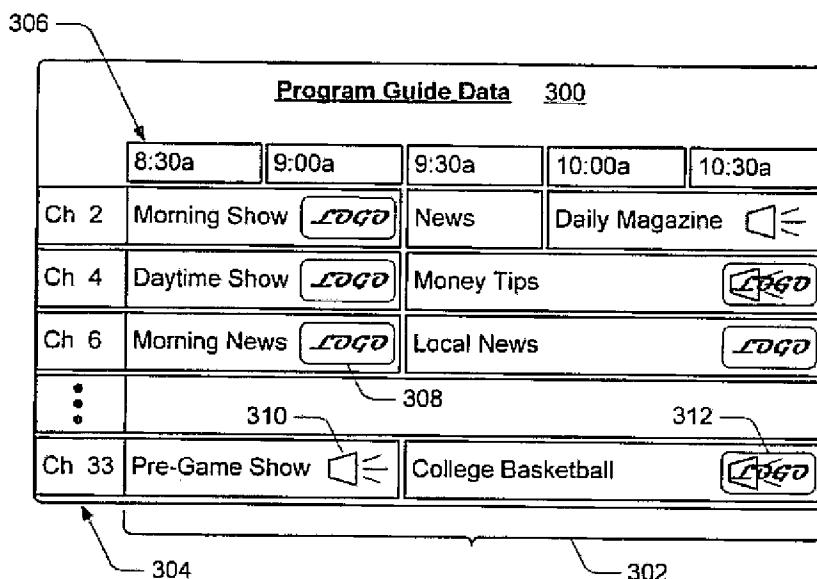


Fig. 3

[0036] Of course, it is the Applicant's position that the inlaid quick EPG-navigation UI is not shown in Fig. 3. This drawing simply does not show anything that is "logically inlaid between time blocks of the schedule of multimedia programming in the grid pattern." It especially does not show another UI within grid pattern of EGP UI.

[0037] Consequently, Sardera does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 14-16

[0038] These claims ultimately depend upon independent claim 13. As discussed above, claim 13 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 17

[0039] The Examiner indicates (Action, p. 9) the following with regard to this claim:

Re claim 17, Sardera et al disclose receiving one or more user interactions (a user-operated input device, line 9, 0063) with an electronic program guide user interface (electronic or interactive program guide, lines 4-5,0071; graphical user interface, line 8, 0076) illustrating a schedule of multimedia programming in a grid pattern (see fig.3; a program guide includes a program broadcast schedule which displays schedule information to indicate when a particular program will be broadcast for viewing, lines 3-5, 0028); in response to one or more triggering user interactions(navigation input is received, lines 7-8, 0036; that means trigger is received), presenting(presenting, line 6, 0076) a quick navigation UI having one or more user-selectable options therein (these navigation features are typically initiated with a remote control device and include commands such as fast-forward, skip-ahead in the program, jump to the next segment, pause the program, and the like, lines 5-8, 0003); receiving one or more user selections of one or more of the options of the quick navigation UI; responding to such user selections(a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing a program, lines 1-3,0004).

[0040] Applicant submits that Sardera does not anticipate this claim because it does not disclose, at least, the following elements/features, as recited in this claim, and arranged in the manner claimed (with emphasis added):

- **receiving one or more user interactions with an electronic program guide (EPG) user interface (UI) ...;**

- in response to one or more triggering user interactions, **presenting a quick EPG-navigation UI having one or more user-selectable options therein;**
- **receiving one or more user selections of one or more of the options of the quick EPG-navigation UI; ...**

[0041] Instead of the claimed “receiving...user interactions with an electronic program guide (EPG) user interface (UI),” Sardera discloses generally user-selectable control of the device (e.g., audio playback device, such as an MP3 player). Applicant position is supported by the very paragraph of Sardera containing the text that the Examiner cites for supporting the rejection. That paragraph, [0042] of Sardera, is reproduced above on page 24 in the response to the rejection of claim 1.

[0042] As the reader can see, the very thing that the Examiner indicates discloses the claimed “monitoring user interactions with the EPG UI” does not disclose that. Instead, Sardera discloses user-selectable control of the operation of a device, such as an MP3 player, of a media content playback system. Sardera’s user-selectable control of an MP3 player is not a disclosure of monitoring of a user’s interactions with EPG UI. The Examiner has failed to explain how the claimed “electronic program guide user interface [EPG UI]” is the same as Sardera’s “MP3 player.”

[0043] If, subsequent to this response, the Examiner explains that the claimed EPG UI is the same as Sardera’s MP3 player, then Applicant submits that

the Examiner needs to explain whether each recitation of an EPG UI in the rest this claim and the other claims is equivalent to an MP3 player as well. If so, then each recitation of the EPG UI in any of the claims differs from Sardera in at least the fact that the claimed EPG UI is not an MP3 player.

[0044] Furthermore, instead of the claimed presentation of the “quick EPG-navigation UI having one or more user-selectable options therein,” Sardera discloses media-content navigational controls. See ¶ [0003] of Sardera, which talks about commands like fast-forward and pause being used to navigate the media content of a program (as opposed to navigating an EPG).

[0045] For clarification purpose only, Applicant amends this claim (and others like it) herein so that “quick EPG-navigation UI” is claimed instead of the less clear “quick navigation UI.” With this clarifying amendment, this difference between the claimed UI for quick navigation of the EPG and Sardera’s disclosed navigation of the media content of a program is clarified.

[0046] In addition to that, it is worth noting that this claim recites its quick EPG-navigation UI as “having one or more user-selectable options therein.” Sardera does not describe its “navigation features” (e.g., fast-forward, skip-ahead, pause, etc.) as being part of a UI (user interface). Therefore, Sardera’s non-disclosed UI cannot have user-selectable options therein, as claimed.

[0047] Consequently, Sardera does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 18-20

[0048] These claims ultimately depend upon independent claim 17. As discussed above, claim 17 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 21

[0049] The Examiner indicates (Action, pp. 9-10) the following with regard to this claim:

Re claim 21, Sardera et al disclose a presentation unit (see fig.6, element 604; a presentation device, lines 3-4, 0066) configured to present an electronic program guide user interface (electronic or interactive program guide, lines 4-5, 0071; graphical user interface, line 8, 0076) illustrating a schedule of multimedia programming in a grid pattern (see fig.3; a program guide includes a program broadcast schedule which displays schedule information to indicate when a particular program will be broadcast

for viewing, lines 3-5, 0028), an input unit configured to monitor and receive user interactions with the EPG UI(a user-operated input device, line 9, 0063; see fig.1, element 140); wherein the presentation unit is further configured to present a quick navigation UI in response to one or more triggering user interactions received by the input unit, the quick navigation UI having one or more user-selectable options(these navigation features are typically initiated with a remote control device and include commands such as fast-forward, skip-ahead in the program, jump to the next segment, pause the program, and the like, lines 5-8, 0003); present new content in response to one or more a user interactions received by the input unit, wherein such interactions are indicative of a user selection of one or more of the options of the quick navigation(a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing a program, lines 1-3,0004).

[0050] Applicant submits that Sardera does not anticipate this claim because it does not disclose, at least, the following elements/features, as recited in this claim, and arranged in the manner claimed (with emphasis added):

- an input unit configured to **monitor and receive user interactions with the EPG UI;**
- wherein the presentation unit is further configured to:

- **present a quick EPG-navigation UI ...having one or more user-selectable options;**
- present new content in response to one or more a user interactions received by the input unit, wherein such interactions are indicative of a user selection of one or more of the options of the quick EPG-navigation UI...

[0051] Instead of the claimed “monitor and receive user interactions with the EPG [electronic program guide user interface],” Sardera discloses generally user-selectable control of the device (e.g., audio playback device, such as an MP3 player). Applicant position is supported by the very paragraph of Sardera containing the text that the Examiner cites for supporting the rejection. That paragraph, [0042] of Sardera, is reproduced above on page 24 in the response to the rejection of claim 1.

[0052] As the reader can see, the very thing that the Examiner indicates discloses the claimed monitoring and receiving “user interactions with the EPG UI” does not disclose that. Instead, Sardera discloses user-selectable control of the operation of a device, such as an MP3 player, of a media content playback system. Sardera’s user-selectable control of an MP3 player is not a disclosure of monitoring and receiving “user interactions with EPG UI.” The Examiner has failed to explain how the claimed “electronic program guide user interface [EPG UI]” is the same as Sardera’s “MP3 player.”

[0053] If, subsequent to this response, the Examiner explains that the claimed EPG UI is the same as Sardera's MP3 player, then Applicant submits that the Examiner needs to explain whether each recitation of an EPG UI in the rest of this claim and the other claims is equivalent to an MP3 player as well. If so, then each recitation of the EPG UI in any of the claims differs from Sardera in at least the fact that the claimed EPG UI is not an MP3 player or a device.

[0054] Furthermore, instead of the claimed presentation of or response to the "quick EPG-navigation UI having one or more user-selectable options therein," Sardera discloses media-content navigational controls. See ¶ [0003] of Sardera, which talks about commands like fast-forward and pause being used to navigate the media content of a program (as opposed to navigating an EPG).

[0055] For clarification purpose only, Applicant amends this claim (and others like it) herein so that "quick EPG-navigation UI" is claimed instead of the less clear "quick navigation UI." With this clarifying amendment, this difference between the claimed UI for quick navigation of the EPG and Sardera's disclosed navigation of the media content of a program is clarified.

[0056] In addition to that, it is worth noting that this claim recites its quick EPG-navigation UI as "having one or more user-selectable options therein." Sardera does not describe its "navigation features" (e.g., fast-forward, skip-ahead, pause, etc.) as being part of a UI (user interface). Therefore, Sardera's non-disclosed UI cannot have user-selectable options therein, as claimed.

[0057] Consequently, Sardera does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 22-24

[0058] These claims ultimately depend upon independent claim 21. As discussed above, claim 21 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 25

[0059] The Examiner indicates (Action, p. 10-11) the following with regard to this claim:

Re claim 25, Sardera et al disclose a processor-readable medium (computer storage media, line 12, 0048) having processor-executable instructions (computer-executable instructions in a non-volatile memory, lines 11-12, 0027) that, when executed by a processor (executed with the one or more processors, lines 3-4, 0046; see fig.4, element 416, processor), produces an electronic program guide user interface (electronic or interactive program guide, lines 4-5, 0071; graphical user interface, line 8, 0076) , the UI comprising: a first display area illustrating a schedule of multimedia programming in a grid pattern(see fig.3,element 306;.time of day when particular program will be broadcast;, lines 8-9, 0038); a second display area illustrating a quick navigation UI(see fig.3, element 308, logo), the quick navigation UI having one or more user-selectable options(these navigation features are typically initiated with a remote control device and include commands such as fast-forward, skip-ahead in the program, jump to the next segment, pause the program, and the like, lines 5-8, 0003); an executable process associated with one or more of the user-selectable options that is configured to present new content in response to one or more a user interactions received by the input unit that is indicative of a user selection of one or more of the options of the quick navigation UI(a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing a program, lines 1-3,0004).

[0060] Applicant submits that Sardera does not anticipate this claim because it does not disclose, at least, the following elements/features, as recited in this claim, and arranged in the manner claimed (with emphasis added):

- a second display area **illustrating an inlaid quick EPG-navigation UI**, the inlaid quick EPG-navigation UI **having one or more user-selectable options**, the inlaid quick EPG-navigation UI **positioned so that it is logically inlaid between time blocks of the schedule of multimedia programming in the grid pattern**;
- an executable process associated with one or more of the user-selectable options that is configured to present new content in response to one or more a user interactions received by the input unit that is indicative of a user selection of one or more of the options of the inlaid quick EPG-navigation UI.

[0061] Instead of the claimed illustration of an “inlaid quick EPG-navigation UI having one or more user-selectable options,” Sardera discloses media-content navigational controls. See ¶ [0003] of Sardera, which talks about commands like fast-forward and pause being used to navigate the media content of a program (as opposed to navigating an EPG).

[0062] For clarification purpose only, Applicant amends this claim (and others like it) herein so that “inlaid quick EPG-navigation UI” is claimed instead of the less clear “quick navigation UI.” With this clarifying amendment, this difference between the claimed UI for quick navigation of the EPG and Sardera’s disclosed navigation of the media content of a program is clarified.

[0063] In addition to that, it is worth noting that this claim recites its quick EPG-navigation UI as “having one or more user-selectable options.” Sardera

does not describe its “navigation features” (e.g., fast-forward, skip-ahead, pause, etc.) as being part of a UI (user interface). Therefore, Sardera’s non-disclosed UI cannot have user-selectable options, as claimed.

[0064] Moreover, this amended claim recites the quick EPG-navigation UI as being “inlaid” and describes such a thing as being “logically inlaid between time blocks of the schedule of multimedia programming in the grid pattern.” This feature was added to this claim (as now amended) and was not part of the original version of this claim. However, this feature has been examined because it is part of the original dependent claim 11. In its rejection of claim 11 (on p. 7 of the Action), the Examiner’s complete statement is “see fig. 3.”

[0065] As directed by the Examiner, please see Fig. 3 of Sardera for the reader to look for the quick EPG-Navigation UI that is “logically inlaid between time blocks of the schedule of multimedia programming in the grid pattern,” as claimed. Fig. 3 is shown on page 32 above.

[0066] Of course, it is the Applicant’s position that the inlaid quick EPG-navigation UI is not shown in Fig. 3. This drawing simply does not show anything that is “logically inlaid between time blocks of the schedule of multimedia programming in the grid pattern.” It especially does not show another UI within grid pattern of EGP UI.

[0067] Consequently, Sardera does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 26-28

[0068] These claims ultimately depend upon independent claim 25. As discussed above, claim 25 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Obviousness Rejection

[0069] In the Action, none of the claims are rejected under § 103. However, in light of the explanation and discussion provided above in response to the § 102(e) rejection of all of the claims of this patent application, Applicant is preemptively responding to possible forthcoming obviousness rejections.

[0070] If, in the next Action, the Examiner chooses to include Sardera as one of its cited references upon which a forthcoming § 103 rejection is based, Applicant may respond by asking for the reference to be disqualified under §103(c) as Sardera only qualifies as prior art under §102(e).

[0071] If the above referenced situation does occur, Applicant may submit a response containing text akin to the following:

The Applicant respectfully requests that the Examiner remove U.S. Patent Application Publication 2005/0028200 as a prior art reference in prosecution of the instant application as a result of the following statement as set forth in the Manual of Patent Examining Procedure, 706.02(l)(2) II,

The instant application and the cited reference, U.S. Patent Application Publication 2005/0028200, were, at the time the invention of the instant application was made, subject to an obligation of assignment to Microsoft Corporation. Applicant respectfully submits that the cited art, U.S. Patent Application Publication 2005/0028200, only qualifies as prior art under § 102(e), and shared a common assignee with the instant application at the time the subject matter of the instant application was conceived. Thus, U.S. Patent Application Publication 2005/0028200, cited in combination with [yet-to-be cited art], U.S. Patent Application Publication 2005/0028200, under § 103(a) should be disqualified under § 103(c).

Dependent Claims

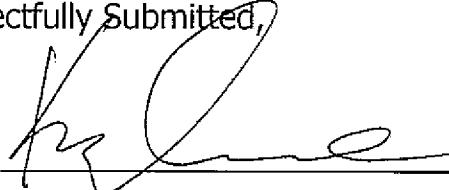
[0072] In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

Conclusion

[0073] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call/email me or my assistant at your convenience.

Respectfully Submitted,

Dated: 3-31-08

By: 

Kasey C. Christie
Reg. No. 40559
(509) 324-9256 x232
kasey@leehayes.com
www.leehayes.com

My Assistant: Carly Bokarica
(509) 324-9256 x264
carly@leehayes.com